



United States  
Department of  
Agriculture

Food and  
Consumer  
Service

Mountain  
Plains  
Region

1244 Speer Boulevard  
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APR 26 2002

Reply to  
Attn of: SP-02-17

Subject: School Programs Policy Guidance - Questions and Answers

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas,  
(Child Nutrition Programs) Missouri ED, Montana OPI,  
Nebraska, North Dakota,  
South Dakota, Utah and Wyoming

This memorandum has, as an attachment, policy guidance on a number of issues that have arisen recently through questions posed to us by State agencies in the Region. Our last such memorandum was issued as SP 02-04 on October 18, 2001.

Please call our office if you have any questions.

*Darlene Sanchez*  
DARLENE SANCHEZ  
Regional Director  
Special Nutrition Programs

Attachment

**NATIONAL SCHOOL LUNCH PROGRAM, SCHOOL BREAKFAST PROGRAM  
AND SPECIAL MILK PROGRAM  
QUESTIONS AND ANSWERS  
April 2002**

**Free and Reduced Price Verification**

1. Q. A CRE review in January discloses that a school has failed to perform verification of applications. Should the State agency forward to the FNS Regional Office a request for extension of the verification deadline as a part of corrective action?  
  
A. No. Once the deadline of December 15 has passed for the completion of verification, there is no reason to request an extension of the past deadline. Part of the school's corrective action should be to state what steps it plans to take in upcoming years to prevent such delays.
  
2. Q. A residential child care institution (RCCI) sometimes has children who come only during the day ("day students"), and they submit free and reduced price applications to the RCCI. On October 31 there were no "day student" children with applications on file, but a week later the RCCI admitted three day students, and each had an application submitted and approved as eligible. How many applications must be verified?  
  
A. None. A school or RCCI is required to verify a percentage of the number of approved applications on file as of October 31 of each year. If there are no approved applications on file as of that date, there is no regular verification obligation.

**Access to Program Meals**

3. Q. A parent has become exasperated with his child, because the child has charged his lunch account for a la carte items the father has forbidden him to buy. As a result, the father has directed the school not to sell the child any food, including a reimbursable lunch. Under Federal requirements, must the school offer the child a lunch anyway?

- A. The Federal requirements do not address such situations. It would be unfortunate if the child did not receive a lunch he or she would prefer to have, but there is no Federal policy that would require the school to disregard parental choice as to whether a child is served a meal.

**Confidentiality/Disclosure of Free and Reduced Price Information**

4. Q. A school is prepared to disclose free and reduced price information about individual students, under the rules for limited disclosure set forth in our memorandum SP 99-07, to the State Department of Education in connection with achievement testing and analysis of results. A parent of one of the children has called to request that this information on her child not be released to State officials. Must the school honor her request not to disclose the information?
- A. As per page 1 of SP 99-07, the determining agency--the school--is not required to disclose eligibility information to anyone, except to State and federal officials reviewing the operation of the Program. In the above case of limited disclosure, the school is not required to have parental permission to disclose a child's eligibility, and is not required to defer to a parent's request not to release the information. However, the school may choose not to disclose this information if it wishes to.

**Lost/Misplaced Tickets**

5. Q. A school has a policy of charging a "look-up" fee to students on the serving line when they don't have their lunch tickets or cards with them. The school accesses the student's account and eligibility just as if the student had the card with him or her. Is this an acceptable way to deal with misplaced tickets or cards?
- A. No, according to FNS Instruction 782-6, a school may not charge a student "any additional fees [beyond the basic meal charge] for . . . services provided in conjunction with the delivery of benefits under these programs."

Eligibility of Schools for Program

6. Q. A public school has an arrangement with a private nonprofit preschool through which the preschool children spend time at the school for part of their program. The children are taught by the private preschool teachers and use some of the facilities at the school. May the public school serve these children meals and claim them for reimbursement?
- A. It may, provided that it can establish that the private, nonprofit preschool has IRS 501 (C) (3) status and the preschool is added to the SA/SFA agreement as an additional site for the public school. All appropriate Program rules apply, including the requirement for the public school to offer free and reduced price meals to preschool children who qualify.